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# Public Notice

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**US ARMY CORPS  
OF ENGINEERS  
St. Louis District  
Gateway to Excellence**

**Reply To:  
U.S. Army Corps of Engineers  
Attn: CEMVS-OD-F  
1222 Spruce Street  
St. Louis, Missouri 63103-2833**

Public Notice No.

[P-2579](#)

Public Notice Date

October 13, 2006

Expiration Date

November 2, 2006

**Postmaster Please Post Conspicuously Until:**

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File Number: 2004-7420

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

**COMMENTS AND ADDITIONAL INFORMATION:** Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
Regulatory Branch  
1222 Spruce Street  
St. Louis, Missouri 63103-2833  
ATTN: Mr. Ward Lenz

**APPLICANT:** Pace-Highlands Associates, L.L.C., c/o Mr. Rick Randall, 1401 South Brentwood, Suite 100, St. Louis, Missouri, 63144. Ph. (314) 968-9898.

**AGENT:** Midwest Testing, c/o Mr. Andrew J. McCord, 3377 Hollenberg Drive, Bridgeton, Missouri, 63044. Ph. (314) 739-2727.

**LOCATION:** The project area is located at the northeast corner of the intersection of Manchester Road and State Highway 141, in Manchester, St. Louis County, Missouri. The site is depicted on the attached location map.

**PROJECT DESCRIPTION:** The applicant seeks authorization to conduct grading and filling operations in waters of the United States in conjunction with the development of an 80-acre site for a retail center known as Manchester Highlands. Jurisdictional waters on the site consist of a 0.14 acre wetland; and approximately 1676 lineal feet of an unnamed tributary to Grand Glaize Creek, which bisects the site, flowing from the northwest to southeast. The unnamed tributary is piped on both the upstream and downstream end of the project site. The applicant is proposing to enclose/pipe approximately 786 lineal feet of the unnamed tributary. The wetland will be avoided, as will an 890 lineal foot middle section of the unnamed tributary. Grand Glaize Creek is a primary tributary to the Meramec River.

The applicant has submitted an alternatives analysis, and has proposed to provide compensatory mitigation for stream impacts through a stream mitigation bank.

**LOCATION MAPS AND DRAWINGS:** See attached. Maps are also available for viewing on our online version of this Public Notice which may be accessed through the St. Louis District Regulatory Branch Public Notice webpage at the following link: <http://www.mvs.usace.army.mil/permits/pn.htm>

**ADDITIONAL INFORMATION:** Additional information may be obtained by contacting Mr. Ward Lenz, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8186. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to [gary.w.lenz@mvs02.usace.army.mil](mailto:gary.w.lenz@mvs02.usace.army.mil).

**AUTHORITY:** This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

**WATER QUALITY CERTIFICATION:** The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Missouri Department of Natural Resources, Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

**SECTION 404 (b)(1) EVALUATION:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

**ENDANGERED SPECIES:** A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

**CULTURAL RESOURCES:** The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will

be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

**SOLICITATION OF COMMENTS:** The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

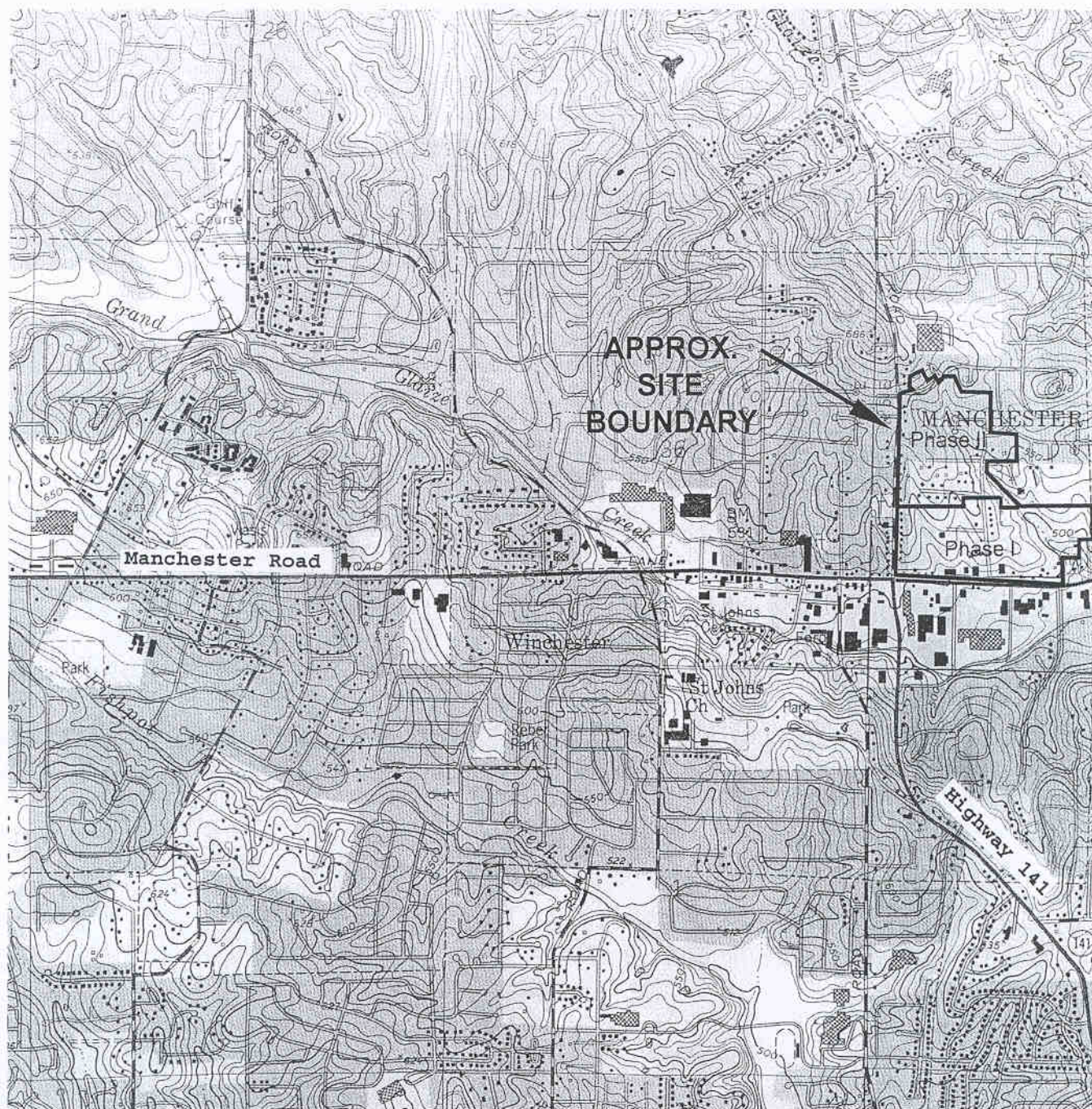
DANNY D. MCCLENDON  
Chief, Regulatory Branch

Attachments

**NOTICE TO POSTMASTERS:**

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



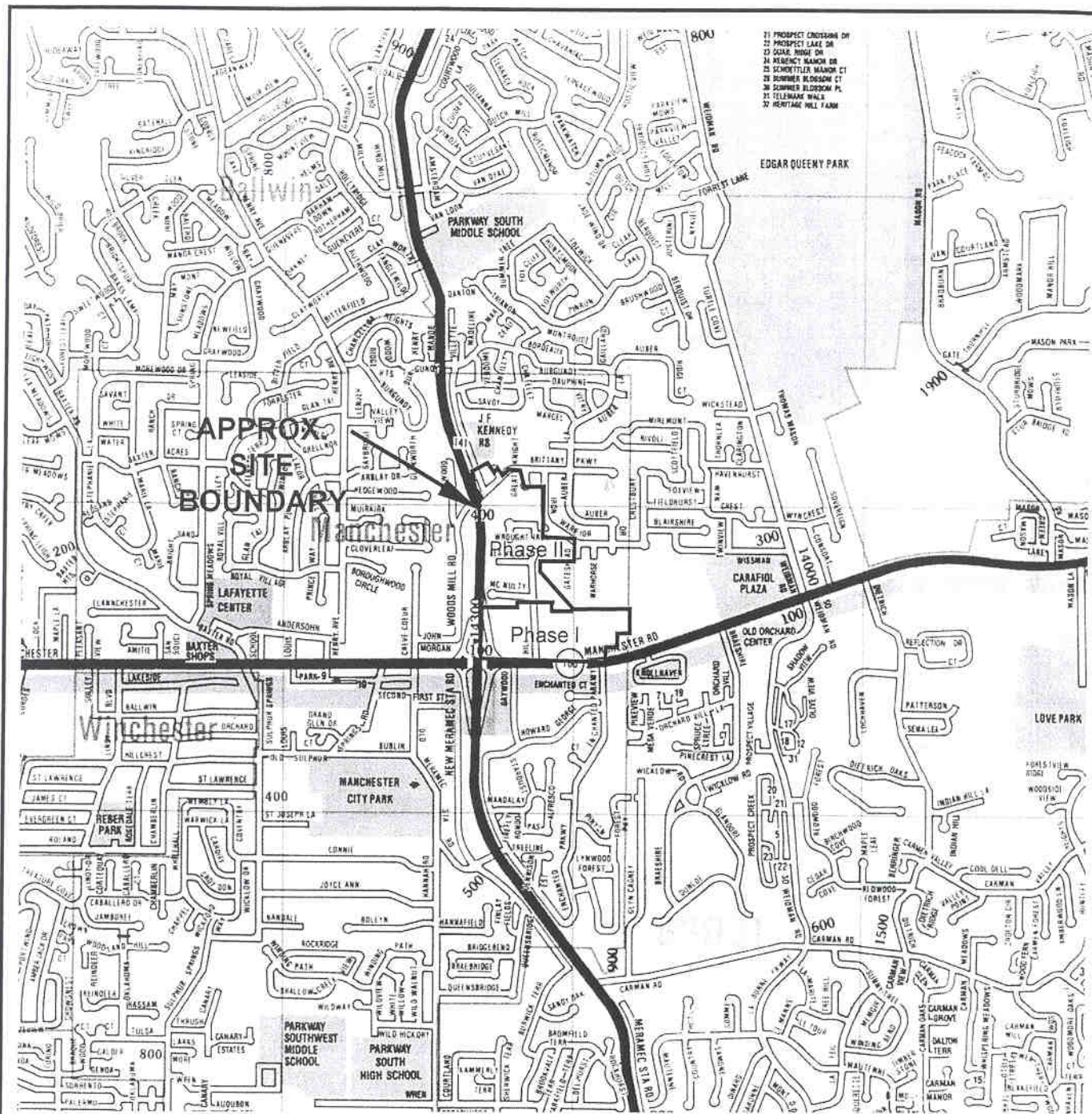


SCALE: 1"=2000'



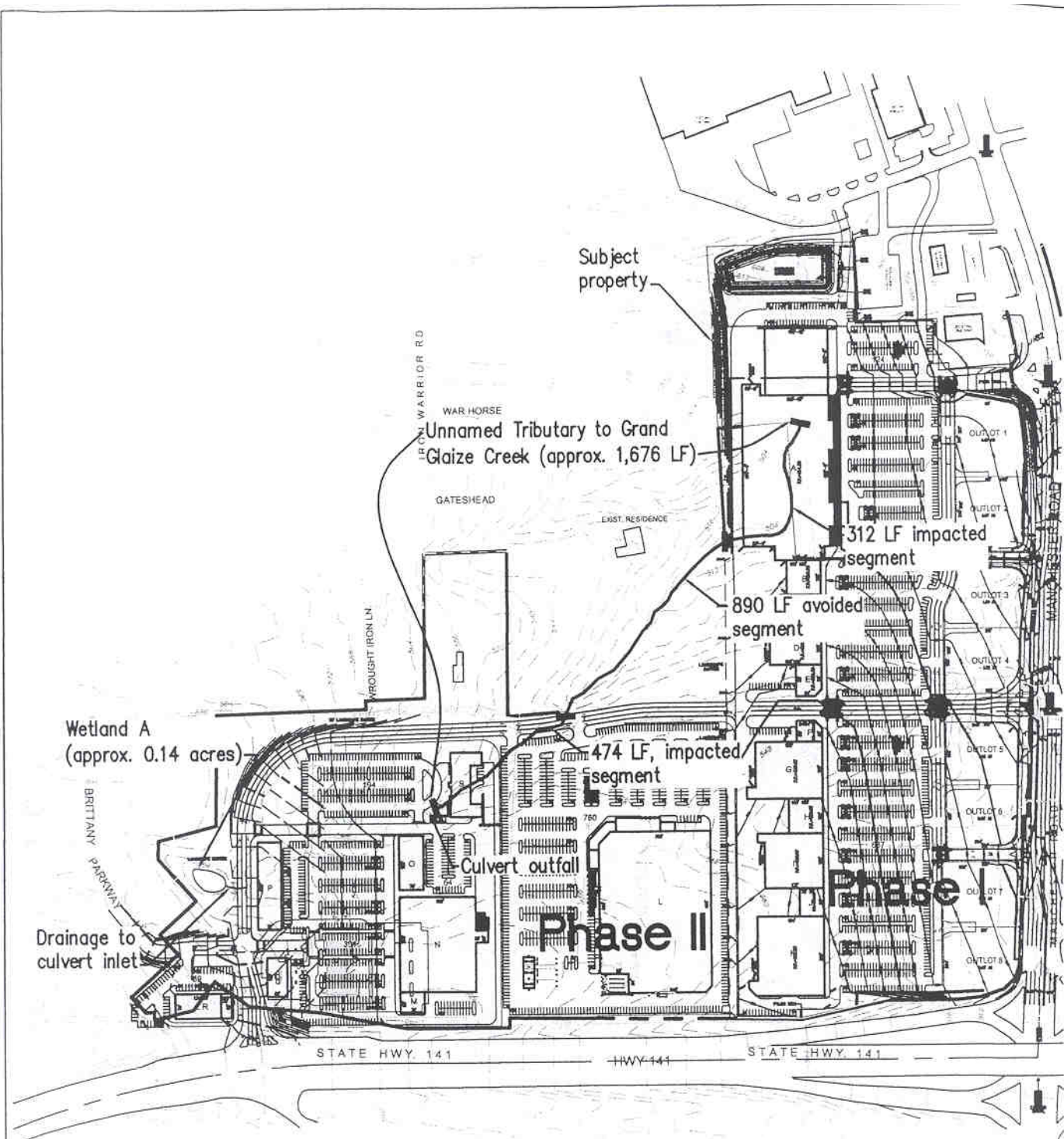
P-2579  
Sheet 1 of 3  
Location/Topographic Map





P-2579  
 Sheet 2 of 3  
 Street map





SCALE: 1"=400'

P-2579  
Sheet 3 of 3  
Development plan

The civil information depicted hereon was supplied by J.R. Grimes in an AutoCAD drawing sent to us via email on 7/6/06 and TRH Architects on 7/27/06. This information was used for the sole purpose of showing provisional Waters of the U.S. for discussion with the U.S. Army Corps of Engineers, Midwest Testing and the engineer signing and sealing this report assume no responsibility or liability for the accuracy of this information, including, but not limited to, existing and proposed topography, infrastructure, and improvements. Our use of this information does not constitute an endorsement or approval of this plan.